

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GP98-37-000]

James E. Silver; Notice of Petition for Clarification

June 19, 1998.

Take notice that, on June 15, 1998, James E. Silver (Silver) filed a letter petitioning the Commission to clarify whether the Commission will direct Williams Gas Pipelines Central, Inc., formerly: Williams Natural Gas Company (Williams) to return certain Kansas ad valorem tax refunds that Silver paid to Williams on behalf of certain royalty interest owners, where Silver has since been unable to recover the refunds he paid on behalf of certain royalty owners, from those royalty owners. Silver's petition is on file with the Commission and open to public inspection.

The Commission, by order issued September 10, 1997, in Docket No. RP97-369-000 *et al.*,¹ on remand from the D.C. Circuit Court of Appeals,² required first sellers to refund the Kansas ad valorem tax reimbursements to the pipelines, with interest, for the period from 1983 to 1988.

Silver indicates that he is the Managing Partner of Olympic Petroleum Company (Olympic), and that Williams notified him that Olympic owed \$85,787.27 in Kansas ad valorem tax refunds to Williams (\$34,877.98 in principal and \$50,909.29 in interest). Silver states that he paid this sum to Williams, in full. Silver also indicates that \$15,453.64 of this total represents refunds attributable to royalty owners that he paid on behalf of the royalty owners. Silver states that he has been unable to recover \$10,281.37 from certain royalty owners, and sets forth the amount of unrecovered refunds, along with the reason he has been unable to recover those refunds from the royalty owners, as follows: (1) \$8,441.53 represents ten (10) royalty owners that have failed to respond to letters and phone calls; (2) \$210.32 represents a single royalty owner who's address is unknown; (3) \$818.57 represents a single royalty owner who has petitioned the Commission (in Docket No. SA98-79-000) for relief from the refund requirement; and \$810.95 represents

five (5) royalty owners who are deceased and their estates closed. In review of this, Silver requests the Commission to clarify whether the Commission will consider returning (i.e., whether the Commission will consider directing Williams to return):

(1) The \$810.95 Silver paid on behalf of deceased royalty owners and, if so, what the procedures are for requesting such consideration;

(2) the \$210.32 Silver paid on behalf of the royalty owner whose address is unknown; and

(3) the \$818.57, in the event that the Commission grants the royalty owner's appeal in Docket No. SA98-79-000 and, if so, what the procedure is for doing so.

In addition, Silver requests the Commission to clarify whether the Commission's September 10, 1997 refund order affords Silver any authority or legal power to recover the \$8,441.53 in refunds that he paid on behalf of the 10 royalty owners who have since refused to respond to his requests to be reimbursed for the refunds he made on their behalf.

Any person desiring to comment on or make any protest with respect to the above-referenced petition should, on or before July 10, 1998, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C., 20426, a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding, or to participate as a party in any hearing therein, must file a motion to intervene in accordance with the Commission's Rules.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-16888 Filed 6-24-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 405-043]

Susquehanna Power Company and Philadelphia Electric Company; Notice of Petition for Declaratory Order

June 19, 1998.

On May 12, 1998, the Mayor and City Council of Baltimore, Maryland (Baltimore) filed a petition for declaratory order and supporting

memorandum, seeking a Commission order declaring: (1) That the Commission has exclusive jurisdiction over pool elevations and pool operations of the Conowingo Project No. 405; (2) that the Licensees for the project must comply with all orders of this Commission concerning the project; and (3) such further and other relief as the Commission may deem appropriate.

Baltimore's petition is prompted by concerns that water withdrawals it makes from the project reservoir may be restricted as a result of certain actions being taken by the Susquehanna River Basin Commission.

Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests and other comments, but only those who file a motion to intervene may become a party to the proceeding. Comments, protests, or motions to intervene must be filed by July 27, 1998; must bear in all capital letters the title "COMMENTS," "PROTEST," or "MOTION TO INTERVENE," as applicable, and Project No. 405-043. Send the filings (original and 8 copies) to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. A copy of any filing must also be served on each representative of the petitioner named in its petition.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-16891 Filed 6-24-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GT98-54-000]

Transcontinental Gas Pipe Line Corporation; Notice of Refund

June 19, 1998.

Take notice on June 15, 1998, Transcontinental Gas Pipe Line Corporation (Transco) tendered for filing a report of Gas Research Institute (GRI) refunds made to its customers.

Transco states that refunded amounts were made to eligible shippers via Mail or wire transfer based on non-discounted GRI demand amounts paid during the year ended December 31, 1997. The amounts refunded by Transco resulted from refunds made to Transco by the GRI.

¹ See 80 FERC ¶ 61,264 (1997); order denying rehearing issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

² *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996), cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997).